



Hickey: A change to E-pplaud

April 14, 2010

The Indianapolis Bar Association's President's Column:

Who says that hard work and persistence don't pay off? Well before the E-Trade talking baby commercials, our local judges were exerting their energy in formulating the framework of a plan to bring efficiencies to court filings. For those of you that have the pleasure of electronic filing in federal court or asbestos cases, you understand the benefits that come with the paperless push. Not so in the Marion Circuit and Superior Courts.

While federal court electronic filing has been around for well over a decade, our state courts have continued to withstand the deluge of legal filings and manual pushing of paper, nearly buckling under the mountain of it. As filings and caseloads have increased, so have the burdens beneath it. One must only look in the courtrooms to get a sense of the need for some E- innovation. It is, finally, here.

Through the concerted efforts of many of our jurists over many years, as well as the IT Director, Marion County Court Administrator and Clerk, the Marion County Circuit and Superior Courts Electronic Filing Pilot Project was approved by the Supreme Court, Division of State Court Administration, earlier this year. Local rules relating to electronic filing have been adopted and the Plan and Rules can be found at www.in.gov/judiciary/marion/docs/efiling021910.pdf.

Through this pilot project, E-filing will become a reality on May 17, 2010, for civil collections (CC) and mortgage foreclosure (MF) cases on a voluntary basis. LexisNexis is the third-party vendor who will bring to our local courts the File and Serve tested technology already being used in other courts throughout the country. Although the types of cases are initially limited, the hope is that the success of this program will lead to expansion in other areas, both substantively and geographically.

While some may look at change with trepidation, use of technology to improve the courts will in our lifetime be the legal standard across the nation. In addition to the "green-ness" of crawling out of the paper-age, there exist a whole host of other benefits that come with E-filing. Those were the subject of an article in the ABA Journal several years ago. Everything from improving efficiency and accessibility to cost-savings were cited as direct benefits of converting filings from paper to digital. Once over the initial "hump," E-filing is heralded as a money-saver in the long run. The article also highlights the added benefit of extended filing hours for procrastinating attorneys.

Without sounding like a commercial, the File and Serve site all but makes the case to opt-in for CC and MF cases. Benefits include: improving access to documents and maximizing resources; improving litigation support and gaining added control over case file management; filing and serving with greater ease; monitoring case activity with monitoring tools; and real time access to publicly-available court documents.

Of course, big change never comes without the discomfort of newness. A successful program starts with good training. With that, enter the Bar. The IBA E-Filing Task Force was created to assist in implementation of this project for the benefit of our members. In addition to recent Bar-hosted presentations on E-filing, training sessions in preparation for the project launch will be hosted at the IBA offices in early May. The sessions will be offered over several days and will include detailed demonstrations from LexisNexis representatives on the use of the File and Serve system. Look for additional information in upcoming issues of the E-Bulletin and special notices regarding reserving your spot.

That this project coming to fruition is something to celebrate is an understatement. It represents the hard work and dedication of persistent leaders in our legal community over many years. It is welcome change in the right direction.